

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

TOMMIE ADAMS FOR THE USE AND )  
BENEFIT OF THE HEIRS AT LAW OF )  
AUTUMN CLARK DECEASED, AND )  
TOMMIE ADAMS, )

Plaintiffs, )

v. )

THE CITY OF HENDERSONVILLE, )  
HENDERSONVILLE POLICE DEPT., )  
OFFICER JAMES GARRETT, )  
OFFICER RUSSELL LARA, AND )  
JEREMY CLARK, )

Defendants. )

NO. 3:06-cv-00788  
JUDGE HAYNES

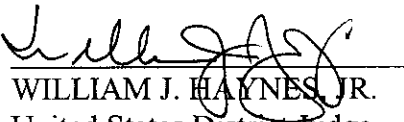
**ORDER**

In accordance with the Memorandum filed herewith, Plaintiff's motion for summary judgment (Docket Entry No. 21) is **DENIED**. Defendants' motion for summary judgment is **GRANTED** in part and **DENIED** in part. Plaintiff's Fourteenth Amendment claims are hereby **DISMISSED** with prejudice. Plaintiff's claims against Defendant City of Hendersonville and Defendant Hendersonville Police Department are hereby **DISMISSED** with prejudice.

The remaining claims are limited to Plaintiff's Fourth Amendment claim against Defendant Officer James Garrett and Defendant Officer Russell Lara and Plaintiff's wrongful death claim against Defendant Jeremy Clark. The parties shall submit an agreed upon order with a date and time for a final pretrial conference and trial. Accordingly, the joint motion to ascertain status of the case is hereby **DENIED** as moot.

It is so **ORDERED**.

ENTERED this the 17<sup>th</sup> day of September, 2008.

  
WILLIAM J. HAYNES, JR.  
United States District Judge